

Amendments to the Drawings:

The attached sheets of drawings include changes to Figs. 5 and 30. These sheets replace the original sheets of drawings for Figs. 5 and 30. These amendments do not add any new matter.

Attachment: Replacement sheets.

Remarks

Reconsideration of the application is respectfully requested in view of the foregoing amendments and following remarks. Claims 1-12, 17-19, 21-27, and 29 are pending in the application. Claims 1, 2, 12, 17, 24, 26, and 27 are independent. No claims have been allowed.

Claims 1, 2, 5-12, 17, 21-22, 24, 26, and 27 have been amended. Claims 13-16, 20, and 28 have been canceled without disclaimer or prejudice to pursuit in a continuation or other application.

Applied Art

U.S. Patent No. 6,289,340 to Puram et al. (“*Puram*”), an article by Schweyer et al, entitled “Engenium – Concept based resume searching” (“*Schweyer*”) and U.S. Patent No. 6,598,047 (“*Russell*”).

Request for Interview

If any issues remain in light of these remarks and amendments, the Examiner is formally requested to contact the undersigned attorney prior to issuance of the next Office Action in order to arrange a telephonic interview. It is believed that a brief discussion of the merits of the present application may expedite prosecution. Applicants submit the foregoing formal Amendment and the following remarks so that the Examiner may fully evaluate Applicants’ position, thereby enabling the interview to be more focused.

This request is being submitted under MPEP § 713.01, which indicates that an interview may be arranged in advance by a written request.

Patentability of claims 1-26 and 28 under § 101

The action rejects Claims 1-26 and 28 under 35 U.S.C. § 101 as directed to non-statutory subject matter.

Claims 1 and 3-11

Claims 1 and 3-11 are directed to computer implemented methods. “A claim that requires one or more acts to be performed defines a process. However, not all processes are

statutory under 35 U.S.C. § 101 *Schrader*, 22 F.3d at 296, 30 USPQ2d at 1460. To be statutory, a claimed computer-related process must either: (A) result in a physical transformation outside the computer for which a practical application in the technological arts is either disclosed in the specification or would have been known to a skilled artisan, or (B) be limited to a practical application within the technological arts. *See*, MPEP § 2106(IV)(B)(2)(b) quoting *Diamond v. Diehr*, 450 U.S. at 183-84 (1981). However, the Action contends that “in the present case, none of the recited steps are directed to anything in the technological arts... Looking at the claim as a whole, nothing in the body of the claim recites any structure or functionality to suggest that a computer performs the recited steps.” *See*, Action, Page 9.

Claim 1 has been amended to recite as follows:

A method of refining a current query specifying desired criteria for job candidates in an attempt to return a number of job candidates within a given range, the method comprising:

determining whether the number of job candidates matching a current query is outside the given range, wherein the determining is performed by a computer system; and responsive to determining the number of job candidates is outside the given range, generating a proposed modification to the current query predicted to bring the number of job candidates within or closer to the given range, wherein the generating is performed by the computer system.

Claim 1 has now been amended to recite “wherein the determining is performed by a computer system” and “wherein the generating is performed by the computer system.” Such recitation that method acts are performed by a computer goes beyond “mere implications of employing a machine or article of manufacture to perform some or all of the recited steps.” *See*, Action, Page 9.

Thus, at least for this reason, Applicants respectfully submit that Claim 1, as amended, is directed to statutory subject matter and request that the rejection under 35 U.S.C. § 101 be withdrawn. Claims 3-11 depend on Claim 1 and at least for that reason should also be in condition for allowance.

Claim 12

Claim 12 now recites as follows:

A query modification proposing system operable in conjunction with a system for returning a number of job candidates based on a current query specifying desired criteria for the job candidates, the query modification proposing system comprising:
means for determining whether a number of job candidates matching a current query is outside a given range; and
means, responsive to determining the number of job candidates is outside the given range, and operable for generating a proposed modification to the current query predicted to bring the number of candidates within or closer to the range.

Thus, Claim 12 recites a “machine” in the mean-plus-function format under 35 U.S.C. § 112 Para. 6. “The plain and unambiguous meaning of paragraph six is that one construing means-plus-function language in a claim must look to the specification and interpret that language in light of the corresponding structure, material, or acts described therein, and equivalents thereof, to the extent that the specification provides such disclosure”. *In re Donaldson*, 16 F.3d 1189 at 1193, 29 USPQ2d 1845 at 1848 (Fed. Cir. 1994).

The specification describes a machine with “means for determining whether a number of job candidates matching a current query is outside a given range”, and “means, responsive to determining the number of job candidates is outside the given range, and operable for generating a proposed modification to the current query predicted to bring the number of candidates within or closer to the range” in great detail. For instance, at least one exemplary structure for the above-listed “means for” elements is described in the specification with reference to FIGs. 24-25. Also, the paragraph titled “Exemplary Implementation of Systems” in the specification describes at least one embodiment of a structure for implementing the “means for” elements listed above as “general-purpose computer systems programmed via software.” *See*, Specification, Page 73. Accordingly, Claim 12 is also addressed to “technological arts.” And thus, for at least the reasons listed above with respect to Claim 1, Claim 12 also is directed to statutory subject matter. Applicants request that the rejection under 35 U.S.C. § 101 be withdrawn.

Claim 17- 23

Claims 17-23 are directed to computer implemented methods. For instance, Claim 17 recites as follows:

A method of identifying desirable job candidates, the method comprising:
extracting one or more concepts from job candidate data of a desirable job candidate as desirable job candidate criteria, wherein the extracting is implemented by a computer and comprises invoking a plurality of criteria-determining software components, wherein each of the criteria-determining software components is adapted for independently extracting different types of concepts; and
submitting the desirable job candidate criteria for matching against other job candidates, wherein the submitting is implemented by the computer.

Claim 17 now recites “wherein the extracting is implemented by a computer” and “wherein the submitting is implemented by the computer.” Thus, as noted with respect to claim 1 above, this goes beyond “mere implications of employing a machine or article of manufacture to perform some or all of the recited steps.”

Thus, at least for this reason, Applicants respectfully submit that Claim 17, as amended, is directed to statutory subject matter and request that the rejection under 35 U.S.C § 101 be withdrawn. Claims 18-23 depend on Claim 17 and at least for that reason should also be in condition for allowance.

Claim 26

Claim 26 is directed to a computer implemented method. Claim 26 recites as follows:

A method of processing a job requisition specifying desirable criteria for job candidates, the method comprising:
determining whether a number of job candidates matching the criteria is outside a desired range indicating a desired number of job candidates to return, wherein the determining is performed by a computer;
responsive to determining that the number of job candidates matching is outside the desired range, generating new criteria based on a software-generated proposed modification to the criteria, wherein the generating is performed by the computer; and
repeating the determining and the generating steps up to a predetermined number of times, wherein the repeating is performed by the computer.

Claim 26 now recites “wherein the determining is performed by a computer”, for instance. Thus, as noted with respect to Claims 1 and 17 above, this goes beyond “mere

implications of employing a machine or article of manufacture to perform some or all of the recited steps”.

Thus, at least for this reason, Applicants respectfully submit that Claim 26, as amended, is directed to statutory subject matter and request that the rejection under 35 U.S.C §101 be withdrawn.

Claims 24-25

Claims 24-25 are directed to a computer system “for finding job candidates”. More particularly, amended claim 24 recites as follows:

A software-based-system for finding job candidates having characteristics similar to desirable job candidate data associated with a job candidate designated as desirable, the system comprising:

memory; and

a processor executing instructions from the memory to implement a plurality of subsystems for extracting search terms for constructing a query for finding job candidates having characteristics similar to the job candidate designated as desirable, wherein each of the subsystems adapted for extracting search terms of at least one different class of search terms based on previously extracted characteristics from the desirable job candidate data; and

a query submitter for submitting the query.

Among other things, amended Claim 24 recites a computer system that comprises “a plurality of subsystems for extracting extracted characteristics from the desirable job candidate data.” Computer system or computer program product claims are statutory “if a claim defines a useful machine or manufacture in terms of its hardware or hardware and software combination.” *See, MPEP § 2106 (III)(B)(2)(a)* at Pg. 2100-14, citing *In re Lowry*, 32 F.3d at 1583 (Fed. Cir. 1994).

The Action contends that the claim “does not identify the physical structure of the machine or manufacture in terms of its hardware or hardware and software combination.” Claim 24 has now been amended to include a system “comprising: memory; and a processor executing instructions from the memory to implement a plurality of subsystems for extracting search terms for constructing a query for finding job candidates.” Accordingly, Claim 24 in its current form is directed to a programmed machine that, among other things, improves the efficiency of “finding job candidates.”

Thus, at least for this reason, Applicants respectfully submit that Claim 24, as amended, is directed to statutory subject matter and request that the rejection under 35 U.S.C. § 101 be withdrawn. Claim 25 depends on Claim 24 and at least for that reason should also be in condition for allowance.

Claims 2 and 27

Claims 2 and 27 have now been amended to be independent claims that recite “computer-readable storage media” and are therefore directed to statutory subject matter.

Claim objections

Claim 2 has been amended to independent form and is now no longer subject to the objection to being improperly dependent upon Claim 1. Similarly, Claim 27 has been amended to independent form.

Claim 26 has been amended to address the objection raised in the Action.

Patentability of Claims 1-12 and 24-26 over Puram under § 102(b)

The Action rejects Claims 1-12 and 24-26 under 35 U.S.C. § 102(b) as being anticipated by Puram. Applicants respectfully submit the claims in their present form are allowable over the cited art. For a 102(b) rejection to be proper, the cited art must show each and every element as set forth in a claim. (*See*, MPEP § 2131.01) However, the cited art fails to do so.

Claim 1-11

Claim 1 recites as follows:

A method of refining a current query specifying desired criteria for job candidates in an attempt to return a number of job candidates within a given range, the method comprising:

determining whether the number of job candidates matching a current query is outside the given range, wherein the determining is performed by a computer system; and responsive to determining the number of job candidates is outside the given range, generating a proposed modification to the current query predicted to bring the number of job candidates within or closer to the given range, wherein the generating is performed by the computer system.

For example, the specification describes exemplary embodiments of “generating a proposed modification to the current query” as follows:

To assist in returning a desired number of results, proposed query modification can be generated to control the number of results returned by a query. *See*, Specification, Pg. 37, Lns. 15-16.

FIG. 24 shows an exemplary system 2400 for proposing query modifications to control the number of results returned by a query. The system accepts an original query 2422. Based on the original query 2422, a forecaster 2432 can generate a proposed modification 2442. As described in some of the examples, the proposed modification 2442 can be used to modify the original query 2422 to produce a modified query, which can then be used for the original query 2422 in an iterative process. *See*, Specification, Pg. 37, Lns. 24 et seq.

The Action relies on Puram as teaching such an arrangement, but Applicants respectfully disagree.

Puram's description of giving an employer the option to modify a needs profile fails to teach or suggest “generating a proposed modification to the current query” as recited by claim 1. The Action relies on the following passages in Puram:

FIG. 4 illustrates a process 300 for gathering feedback from employers and candidates and adjusting employers' needs data and candidates' skills data accordingly. If the number in this sub-pool is still relatively large 240, the employer is given the option to modify the needs profile such that it is likely to yield a smaller sub-pool. *See*, Puram, Col. 7, Lns. 31-34.

If the number in this sub-pool is still relatively large 240, the employer is given the option 245 to modify the needs profile such that it is likely to yield a smaller sub-pool. For example, the employer may raise the level of skill required for a skill, add skills to the list, and/or raise the level of importance of a skill. Conversely, if the sub-pool is relatively small, the employer can adjust the needs profile to yield a larger sub-pool. *See*, Puram, Col. 7 Lns. 40-45.

Although Puram describes that “the employer is given the option 245 to modify the needs profile such that it is likely to yield a smaller sub-pool,” Puram fails to teach or suggest that a computer system can automate the process of query modification by “generating a proposed modification to the current query” as recited in claim 1. Puram's mere mentioning that an employer can “modify the needs profile” to increase or decrease the candidates in a sub-pool would not lead one to “generating a proposed modification to the current query.”

According to Puram, the “employers and candidates” still have to manually determine how to “modify the needs profile.” By contrast, the recited arrangement includes a method

implemented by a computer system “generating a proposed modification to the current query,” which can be useful, for example, to assist a user in returning “a number of job candidates” in the “given range.” The disclosure of Puram indicates that it did not contemplate such an arrangement.

At least for this reason, Puram fails to teach or suggest at least one element of claim 1. Claim 1 in its amended form is thus in condition for allowance.

Claim 2

Claim 2 contains language mimicking claim 1. Therefore, Claim 2 is allowable at least for reasons similar to those presented for claim 1. In addition, Claim 2 recites “computer-executable instructions,” which further distinguishes over the manual approach of Puram.

Claims 3-7

Claims 3-7 depend from Claim 1. Thus, at least for the reasons described above with respect to claim 1. Claims 3-7 should also be condition for allowance.

Claims 26-27

Claim 26 as amended recites as follows:

A method of processing a job requisition specifying desirable criteria for job candidates, the method comprising:

determining whether a number of job candidates matching the criteria is outside a desired range indicating a desired number of job candidates to return, wherein the determining is performed by a computer;

responsive to determining that the number of job candidates matching is outside the desired range, generating new criteria based on a software-generated proposed modification to the criteria, wherein the generating is performed by the computer; and

repeating the determining and the generating steps up to a predetermined number of times, wherein the repeating is performed by the computer.

Puram fails to teach or suggest many elements of Claim 26. For instance, Puram fails to teach or suggest “software-generated proposed modification to the criteria” as claimed. As noted above with respect to Claim 1, for instance, Puram teaches a method whereby “the employer is given the option 245 to modify the needs profile.” Thus, according to Puram the employers, for instance, have to manually determine how to modify the job criteria. This fails to

teach or suggest “*generating new criteria based on a software-generated proposed modification.*”

At least for this reason, Puram fails to teach or suggest at least one element of Claim 26. Claim 26 in its amended form is thus in condition for allowance. At least similar reasons weigh in favor of the patentability of Claim 27, which mimics the language of Claim 26.

Claim 9

Claim 9 has been amended to recite as follows:

The method of claim 1 wherein generating the proposed modification-comprises:
identifying a component not appearing in the current query as required, wherein the component is associated with at least a certain percentage of job candidates matching the current query; and
generating the proposed modification to indicate that the component not appearing in the current query as required be included in a new query as required.

Claim 9 depends from Claim 1 and, thus at least for the reasons listed above with respect to claim 1, Claim 9 should also be in condition for allowance. However, Puram fails to teach or suggest other elements of Claim 9. For instance, Puram fails to teach or suggest “*identifying a component not appearing in the current query as required, wherein the component is associated with at least a certain percentage of job candidates matching the current query.*”

Nothing in Puram teaches or suggests modifying the query based on examining the characteristics of “*job candidates matching the current query*” by, for instance, “*identifying a component not appearing in the current query as required, wherein the component is associated with at least a certain percentage of job candidates matching the current query.*” Puram’s system, on the other hand, relies on the “employers and candidates” to manually modify a query “if the number in the sub-pool is still relatively large” and in no way examines any characteristics of “*job candidates matching the current query*” as claimed. *See*, Puram, Col. 7, Lns. 40-41. This is an important distinction because examining the characteristics associated with “*job candidates matching the current query*” makes “generating the proposed modification” to be included in a “new query” more accurate so that appropriate types and numbers of candidates are returned when the “new query” is submitted.

Thus, at least for this reason, in addition to those described above with respect to Claim 1, Claim 9 is in condition for allowance.

Claim 10

Claim 10 recites as follows:

The method of claim 1 wherein generating the proposed modification comprises:
identifying a component appearing in the current query as required, wherein the component is associated with a fewest number of job candidates matching the current query; and
generating the proposed modification to indicate that the component appearing in the current query as required not be included in new query as required.

Claim 10 also depends from claim 1 and, thus at least for the reasons listed above with respect to Claim 1, Claim 10 should also be in condition for allowance. However, Puram fails to teach or suggest other elements of Claim 10. As noted above with respect to Claim 9, Puram fails to teach or suggest modifying a query based on characteristics of “job candidates matching the current query.” More particularly, nothing in Puram teaches or suggests that query modification can be based on “*identifying a component appearing in the current query as required, wherein the component is associated with a fewest number of job candidates matching the current query.*”

Thus, at least for this reason, in addition to those described above with respect to Claim 1, Claim 10 is in condition for allowance.

Claim 12

The amended claim 12 a computer system as follows:

A query modification proposing system operable in conjunction with a system for returning a number of job candidates based on a current query specifying desired criteria for the job candidates, the query modification proposing system comprising:
means for determining whether a number of job candidates matching a current query is outside a given range; and
means, responsive to determining the number of job candidates is outside the given range, and operable for generating a proposed modification to the current query predicted to bring the number of candidates within or closer to the range.

Puram fails to teach or suggest many elements of Claim 12. For instance, Puram fails to teach or suggest a system “*operable for generating a proposed modification to the current query.*” As noted with respect Claim 1, Puram teaches that users of its system such as, “employees and candidates” have to manually determine how to modify the “needs profile” this

does not teach or suggest “*a computer system...operable for generating a proposed modification to the current query.*” Claim 12 on the other hand recites a system that automates the process of generating modified queries by “*generating a proposed modification to the current query.*”

At least for this reason, Puram fails to teach or suggest at least one element of Claim 12. Thus, at for this reason, Claim 12 in its amended form is in condition for allowance.

Claim 24

Claim 24 as amended recites as follows:

A software-based system for finding job candidates having characteristics similar to desirable job candidate data associated with a job candidate designated as desirable, the system comprising:

memory; and

a processor executing instructions from the memory to implement a plurality of subsystems for extracting search terms for constructing a query for finding job candidates having characteristics similar to the job candidate designated as desirable, wherein each of the subsystems is adapted for extracting search terms of at least one different class of search terms based on previously extracted characteristics from the desirable job candidate data; and

a query submitter for submitting the query for matching against a plurality of job candidates via a match engine.

Puram’s feed back method wherein the employer manually enters the “the needs profile” fails to teach or suggest “*extracting search terms for constructing a query... based on previously extracted characteristics from the desirable job candidate data.*” In fact, Puram requires that the employer manually specify job criteria in a table and thus, obviating the need for “*extracting search terms.*” See, e.g., Puram, FIG. 3, Steps 185, 191, and 192. Such direct entry of criteria into a pre-configured table does not teach or suggest any manner of “*extracting search terms*” let alone “*based on previously extracted characteristics from the desirable job candidate data.*” Although, Puram itself is silent on exactly how matching between job criteria and job candidates is done, it is Applicant’s belief that Puram does not rely on search term based matching but instead on field searching and hence, does not teach or suggest “*extracting search terms*” let alone “*based on previously extracted characteristics from the desirable job candidate data.*” This is an important distinction because mining the previously extracted characteristics for the most appropriate search terms for “*submitting the query*” is more efficient than matching job candidates to job criteria based on a large set of rigid table entries as Puram does.

Furthermore, Puram also fails to teach or suggest “*a plurality of subsystems ... wherein each of the subsystems is adapted for extracting search terms of at least one different class of search terms.*” However, the specification describes many different implementations of such “subsystems.” For instance, with reference to FIG. 28, the specification describes specialized cloning systems as follows:

FIG. 28 shows an exemplary method 2800 for achieving cloning. In the example, at 2820, concepts are extracted from the job candidate data of a desirable job candidate (e.g., an employee or other job candidate who has desirable characteristics) as desirable job candidate criteria.

At 2830, the desirable criteria are submitted for matching against other candidates (e.g., via any of the match technologies described herein).

In some implementations, a two-phase approach can be taken: selecting concepts and then prioritizing the concepts. For concept selection, the incoming candidate (e.g., the desirable job candidate) can be passed to specific criteria-generating software components, which can independently analyze the job candidate data and add selected concepts to the criteria. For concept prioritization, the resulting concepts can be prioritized and winnowed down to a set that produces the desired number of matches.

Concept selection can be done by a set of five specialized software components (e.g., “cloners” or cloner objects). Each is given the incoming candidate and selects concepts from to add to the job requisition being constructed. The relative importance of the cloners is configurable. The five cloners can include a role cloner, a skill cloner, a company cloner, an industry cloner, and an education cloner. See, Specification, Page 44, Lns 1-19.

Nothing, in Puram teaches or suggests such specialized “subsystems... adapted for extracting search terms of at least one different class of search terms.” Puram simply teaches that job candidate data is entered into fields of a table. This does not lead one of ordinary skill in the art to making search term extraction more efficient by applying “subsystems... adapted for extracting search terms of at least one different class of search terms.” However, such specialization allows for a number of features that speed up the process of constructing queries since, for instance, different subsystems can focus on different types of search terms and the importance of different types of search terms can be made configurable via the subsystems.

Patentability of Claims 17-18 over Schweyer under § 102(b)

The Action rejects Claims 17-18 over Schweyer under U.S.C. § 102(b). For a § 102(b) rejection to be proper, the cited art must show each and every element as set forth in a claim. (See, MPEP § 2131.01) However, the applied art fails to do so.

Claim 17

Claim 17 as amended recites as follows:

A method of identifying desirable job candidates, the method comprising:
extracting one or more concepts from job candidate data of a desirable job candidate as desirable job candidate criteria, wherein the extracting is implemented by a computer and comprises invoking a plurality of criteria-determining software components, wherein each of the criteria-determining software components is adapted for independently extracting different types of concepts; and
submitting the desirable job candidate criteria for matching against other job candidates, wherein the submitting is implemented by the computer.

The specification describes the claimed specialized concept extraction as follows:

Concept selection can be done by a set of five specialized software components (e.g., “cloners” or cloner objects). Each is given the incoming candidate and selects concepts from to add to the job requisition being constructed. The relative importance of the cloners is configurable. The five cloners can include a role cloner, a skill cloner, a company cloner, an industry cloner, and an education cloner. *See*, Specification, Pg. 41, Lns. 14-19.

Schweyer fails to teach or suggest “*wherein the extracting comprises invoking a plurality of criteria-determining software components, wherein each of the criteria-determining software components is adapted for independently extracting different types of concepts.*” The Action relies on Schweyer stating “we are able to take an entire resume and an entire job description and compare the two bodies of text in their entirety.” *See*, Action at Pgs. 17-18, citing Para. 31 of Schweyer. To one of ordinary skill in the art, this does not teach or suggest “invoking a plurality of criteria-determining software components, *wherein each of the criteria-determining software components is adapted for independently extracting different types of concepts.*”

Although Schweyer mentions concept-based searching, Applicants fail to understand how the mere mentioning of concept-based searching can teach or suggest that concept extraction “comprises invoking a plurality of criteria-determining software components, wherein each of the criteria-determining software components is adapted for independently extracting different types of concepts” as recited in Claim 17. This is an important distinction because such specialization makes concept extraction efficient.

Claims 18

Claim 18 depends from Claim 17. Thus, at least for the reasons described above with respect to claim 17. Claim 18 should also be condition for allowance.

103 Rejection

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. (MPEP § 2142) Motivations to combine or modify references must come from the references themselves or be within the body of knowledge in the art. (See, MPEP § 2143.01)

Patentability of Claims 19 over Schweyer in view of Russell under § 103

The Action rejects Claim 19, under 35 U.S.C. § 103(a) as unpatentable over Schweyer in view of Russell. Applicants respectfully submit the claims in their present form are allowable over the cited art.

Claim 19

Claim 19 depends from Claim 17. As noted above with respect to Claim 17, Schweyer fails to teach or suggest many aspects of Claim 17. For instance, Schweyer's combination of field-based and concept-based searching fails to teach or suggest "*wherein the extracting comprises invoking a plurality of criteria-determining software components, wherein each of the criteria-determining software components is adapted for independently extracting different types of concepts.*" Likewise Russell too fails to teach or suggest this important feature. Thus, Schweyer and Russell both individually and in combination fail to teach or suggest at least one feature of Claim 17 and hence, also of Claim 19 which depends from Claim 17. At least for this reason Claim 19 is in condition for allowance and such action is respectfully requested.

Patentability of Claims 21 and 23 over Schweyer in view of Puram under § 103

Claim 21

Claim 21 ultimately depends from claim 17 and recites as follows:

The method of claim 17 wherein the software components comprise:

a component for identifying a most recent role from the job candidate data for inclusion in the criteria;

a component for identifying highest-ranked skill concepts from the job candidate data for inclusion in the criteria.

First of all, Claim 21 now depends on the amended Claim 17. As noted above, Schweyer and Puram, both individually and in combination fail to teach or suggest “*wherein the extracting comprises invoking a plurality of criteria-determining software components, wherein each of the criteria-determining software components is adapted for independently extracting different types of concepts.*” Thus, at least for this reason, the applied references fail to teach or suggest at least one feature of Claim 17 and hence, also of Claim 21 which depends from Claim 17. At least for this reason Claim 21 is in condition for allowance and such action is respectfully requested.

Furthermore, contrary to the Action’s assertion, Puram fails to teach or suggest “*a component for identifying a most recent role from the job candidate data for inclusion in the criteria*” as recited in Claim 21. Puram teaches a table where one of the entries of job candidate data may be “the number of years the candidate has been developing specific skills or using the specified tool.” However, one of ordinary skill in the art could not be expected to surmise the claimed arrangement of “*plurality of criteria-determining software components*” which are operable to be invoked to perform the task of “independently extracting different types of concepts” and “*wherein the software components comprise: a component for identifying a most recent role from the job candidate data for inclusion in the criteria*” by the mere mention of table entries related to length of a job candidate’s experience in a particular field. The specification describes many such “criteria-determining software components.” The following is just one example:

Role Cloner

The role cloner can add the desirable candidate’s most recent role to the requisition. Candidates can have more than one most recent role, for example if the resume parser cannot distinguish between jobs, or a candidate held more than one title in a most recent job. In this case the role cloner picks the most recent role with the highest

score. The role added is flagged as a Most Recent and Required in the requisition. *See*, Specification, Pg. 44, Lns. 20-24.

Thus, at least for this additional reason, the applied references fail to teach or suggest at least one feature of Claim 21. For this additional reason, Claim 21 is in condition for allowance and such action is respectfully requested.

Claim 23

Claim 23 now depends from claim 17 and recites as follows:

The method of claim 17 further comprising:
before matching job candidates via the desirable job candidate criteria, removing one or more of the desirable job candidate criteria based on a prioritization of the criteria.

First of all, Claim 23 now depends on the amended Claim 17. As noted above, Schweyer and Puram, both individually and in combination fail to teach or suggest “*wherein the extracting comprises invoking a plurality of criteria-determining software components, wherein each of the criteria-determining software components is adapted for independently extracting different types of concepts.*” Thus, at least for this reason, the applied references fail to teach or suggest at least one feature of Claim 17 and hence, also of Claim 23 which depends from Claim 17. At least for this reason, Claim 23 is in condition for allowance and such action is respectfully requested.

Furthermore, Schweyer and Puram, both individually and in combination fail to teach or suggest, “*removing one or more of the desirable job candidate criteria based on a prioritization of the criteria.*” The Action states “The Examiner interprets that prioritizing the skill requirements will remove one or more criteria.” *See*, Action at Page 20. Applicants fail to see how merely mentioning that prioritizing the skill requirements can be done would lead one of ordinary skill in the art to the claimed method of building a suitable job criteria by “extracting one or more concepts from job candidate data of the desirable job candidate as desirable job candidate criteria” and “before matching job candidates via the desirable job candidate criteria, removing one or more of the desirable job candidate criteria based on a prioritization of the criteria.”

Thus, at least for this additional reason, the applied references both individually and in combination fail to teach or suggest at least one feature of Claim 23. For this additional reason, Claim 23 is in condition for allowance and such action is respectfully requested.

Claim 22

Claim 22 now depends from claim 17 and recites as follows:

The method of claim 17 wherein the software components comprise:

a component for identifying one or more companies associated with a most recent experience in the job candidate data for inclusion in the criteria;

a component for identifying one or more industries associated with a most recent experience in the job candidate data for inclusion in the criteria; and

a component for identifying a highest education level in the job candidate data for inclusion in the criteria.

First of all, Claim 22 now depends on the amended Claim 17. As noted above, Schweyer and Puram, both individually and in combination fail to teach or suggest “*wherein the extracting comprises invoking a plurality of criteria-determining software components, wherein each of the criteria-determining software components is adapted for independently extracting different types of concepts.*” Thus, at least for this reason, the applied references fail to teach or suggest at least one feature of Claim 17 and hence, also of Claim 22, which depends from Claim 17. At least for this reason, Claim 22 is in condition for allowance and such action is respectfully requested.

Furthermore, Schweyer and Puram, both individually and in combination fail to teach or suggest “*wherein the software components comprise: a component for identifying one or more companies associated with a most recent experience in the job candidate data for inclusion in the criteria; a component for identifying one or more industries associated with a most recent experience in the job candidate data for inclusion in the criteria; and a component for identifying a highest education level in the job candidate data for inclusion in the criteria.*” The Action takes official notice that it was well-known to ascertain “the companies the candidate worked for”, “the particular industry the candidate worked in”, “the candidate’s educational background”, etc. See, Action at Page 21. However, being aware of what type of information one needs from a job candidate does not by itself lead one of ordinary skill in the art to “*a plurality of criteria-determining software components*” and more particularly to a component for identifying one or more companies associated with a most recent experience in the job candidate

data for inclusion in the criteria; a component for identifying one or more industries associated with a most recent experience in the job candidate data for inclusion in the criteria; and a component for identifying a highest education level in the job candidate data for inclusion in the criteria.”

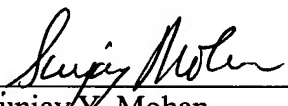
Thus, at least for this additional reason, the applied references both individually and in combination fail to teach or suggest at least one feature of Claim 22. For this additional reason, Claim 22 is in condition for allowance and such action is respectfully requested.

Conclusion

The claims in their present form should now be allowable. Such action is respectfully requested.

Respectfully submitted,

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